

**UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 5**

DATE:

SUBJECT: Reports of Significant Developments and Activities
Ending on January 18, 2002

FROM: William E. Muno, Director
Superfund Division

TO: Thomas V. Skinner
Regional Administrator

David A. Ullrich
Deputy Regional Administrator

The activities listed below are organized by site-specific activities, other significant developments, training/conferences, and stakeholder feedback:

SITE-SPECIFIC ACTIVITIES

PRP Removal Completed, Sheboygan Harbor & River Superfund Site, Sheboygan, Wisconsin

On January 11, 2002, Tom Short completed the Pollution Report (POLREP) for the potentially responsible party (PRP) removal action for the Sheboygan Harbor & River Superfund site in Sheboygan, Wisconsin. Site activities in 1990 removed approximately 4,300 cubic yards of polychlorinated biphenyl (PCB) contaminated sediment from the Sheboygan River. These sediments were stored in two structures, the Sediment Management Facility (SMF) and the Confined Treatment Facility (CTF), at the Tecumseh Products Company facility in Sheboygan Falls, Wisconsin. The two structures were intended to store the contaminated sediments until a final remedial decision was made. The Record of Decision (ROD), signed in 2000, included the off-site disposal of the stored sediment. The remedial design/remedial action (RD/RA) negotiations to implement the remedy are nearing completion, however, given the age of the SMF and CTF, there was a chance of facility failure before the remedy would be implemented. Failure of the structures would result in a release of PCB contamination into the Sheboygan River.

The 4,300 cubic yards of PCB-contaminated sediment weighting 6,679.86 tons was transported off-site in completing this project. Stabilized sediments were sent to the Safety-Kleen Long Mountain Subtitle C Surface Disposal Facility near Waynoka, Oklahoma. Structures were decontaminated and demolished, and the tank was disassembled and shipped for recycling. The removal activities occurred in the Fall of 2001 and cost \$949,402.

Contact: Tom Short (312-353-8826)

Settlement, John Morrell & Company, Springdale, Ohio

On January 16, 2002, the United States Environmental Protection Agency (U.S. EPA) filed a Consent Agreement and Final Order to resolve an Administrative Complaint against John Morrell & Company, Springdale, Ohio. The Complaint alleges violations of the Comprehensive Environmental Response Compensation and Liability Act (CERCLA) Section 103 and the Emergency Planning and Community Right-to-Know Act (EPCRA). On October 22, 2000, the facility had a 3,000 pound release of anhydrous ammonia. Anhydrous ammonia is a hazardous substance under CERCLA and an extremely hazardous substance with a reportable quantity of 100 pounds. John Morrell & Company called the National Response Center, and the State Emergency Response Commission (SERC), but never called the Local Emergency Planning Committee (LEPC). The facility provided the SERC with a written follow-up report on December 13, 2000, and the LEPC on November 1, 2000. The company has agreed to pay a cash penalty of \$1,040.58 for the CERCLA violation, \$19,771.06 for the EPCRA violations, and conduct a Supplemental Environmental Project (SEP). The SEP will be to replace seven smoke generators with superheated steam smoke generators and seven water scrubbers. These steam generators and scrubbers are designed to remove 91% of the volatile organic compounds and 87% of the formaldehyde emitted now by the plant. The cost of the SEP will be \$410,000. The total outlay will be \$421,811.64. The proposed penalty in the complaint was \$155,830.01. The company will have 30 days to pay the cash penalty and three years to complete the SEP.

Contact: James Entzminger (312-886-4062)

IT Corporation Files Bankruptcy, Feed Materials Production Center (USDOE) Superfund Site, Fernald, Ohio, and Other Sites

IT Corporation (IT) filed for Chapter 11 bankruptcy on January

16, 2002. IT is involved in a number of remediation projects at Superfund sites throughout Region 5, including a \$122 million contract at the Feed Materials Production Center (USDOE) Superfund site in Fernald, Ohio.

At the Fernald site, IT is a subcontractor to Flour Fernald, who is the U.S. Department of Energy's (DOE's) prime contractor. IT ran the waste pit project until its bankruptcy. According to a January 21, 2002 newspaper article and DOE, The Shaw Group, Inc., is purchasing IT for \$105 million pending bankruptcy-court approval. DOE has informed U.S. EPA that there will be no work stoppage on the Fernald waste pit project as a result of the IT bankruptcy. The Shaw Group plans on keeping the majority of the existing personnel, as well as keeping this profitable project running. IT had planned on bidding for additional Fernald site work, specifically the On-Site Disposal Facility, but since DOE and Flour Fernald were aware of the pending bankruptcy, DOE made arrangements for Flour Fernald to self-perform the remaining On-Site Disposal Facility work.

Overall, there are no anticipated problems at Fernald, unless the bankruptcy court disapproves the buy out. Then there could be some delays.

Contact: Jim Saric (312-886-0992)

Community Advisory Group Meeting, Industrial Excess Landfill Superfund Site, Uniontown, Ohio

On January 17, 2002, Ross del Rosario and Dave Novak attended a meeting held by the community advisory ground (CAG) for the Industrial Excess Landfill (IEL) Superfund site in Uniontown, Ohio. The IEL CAG was formed in 2000 primarily to come up with plans for future redevelopment of the site. The group was awarded a \$100,000 grant by U.S. EPA through the Superfund Redevelopment Initiative for this purpose in 2000. The CAG is currently preparing a redevelopment plan for IEL, consistent with the requirements of the cooperative agreement the local government entered into with U.S. EPA last year. Discussions on finalizing a CAG website, site ownership issues, project implementation, and the roles of U.S. EPA and the State, were touched on during the meeting. After the meeting, a reporter from the National Public Radio (NPR) who was in attendance, interviewed both Mr. Novak and Mr. del Rosario. The next IEL CAG meeting is scheduled for February 16, 2002.

Contact: Ross del Rosario (312-886-6195)

Press Call, Southeast Rockford Ground Water Contamination Superfund Site, Rockford, Illinois

On January 16, 2002, Mick Hans from the Office of Public Affairs arranged a conference phone call with Mark Obmascik of the Denver Post. The purpose of the call was to respond to a series of articles that implied U.S. EPA and the States were ignoring the health risks associated with volatile organic compounds (VOCs) in groundwater which may contaminate indoor air. The articles specifically referenced three Region 5 sites; one of which was Southeast Rockford Ground Water Contamination Superfund site (SE Rockford) in Rockford, Illinois. Bill Muno and Wendy Carney commented that they didn't think the articles gave a balance presentation of what actually happened at this site. Mr. Muno and Ms. Carney specifically mentioned that both soil gas and indoor air had been sampled for VOCs. In one home where VOCs were detected, corrective action was taken which reduced the indoor air concentrations of VOCs. In addition, Mr. Muno and Ms. Carney pointed out that as part of the remedial design for a source control operable unit, additional indoor air sampling will be conducted. Mr. Muno and Ms. Carney concluded their comments with the overall statement that they strongly believe that there is not a current risk via indoor air to the residents that are located by the SE Rockford groundwater plume.

Resource Conservation and Recovery Act (RCRA) staff were also present to discuss an additional site -- Warner Electric Brake in Roscoe, Illinois.

Contacts: Bill Muno (312-886-7578)
Wendy Carney (312-353-6553)

OTHER SIGNIFICANT DEVELOPMENTS

First Tribal Pilot Project Kickoff Meeting, Fond du Lac Indian Reservation, Cloquet, Minnesota

On January 10, 2002, Glenn Cekus (OCEPP) participated in the meeting, held at the Tribal Administration Building in Cloquet, Minnesota. Ms. Christine Berini, the Tribal Emergency Contact, chaired the meeting, and twenty-two representatives from various Tribal departments and organizations participated. Glenn Cekus

gave a presentation on Title III on Indian Lands; provided a summary on the current level of Tribal compliance with the Emergency Planning and Community Right-to-Know Act (EPCRA, also known as Title III); and, discussed the concept of the pilot project. The project is intended to enhance the compliance of Native American Tribes with the provisions of EPCRA. Office of Chemical Emergency Preparedness and Prevention (OCEPP) staff and a Superfund Technical Assistance & Response Team (START) II contractor will assist the Tribe in organizing the Tribal Emergency Planning Committee (TERC), in completing the current draft of a Title III contingency plan, and in, eventually, helping the Tribe conduct a tabletop exercise of the plan. Care will be taken to ensure that the pilot project does not duplicate EPCRA activities that are or have been funded by grants from the Agency or other Federal agencies. The Tribe will now start organizing a TERC to oversee an EPCRA program, such as managing reports submitted by facilities, contingency plan completion, and exercising of the plan.

Contact: Glenn Cekus (312-353-6449)

**Meeting (Brownfields Cleanup Revolving Loan Fund (BCRLF) Pilot),
Ohio Department of Development (ODOD), Ohio**

On January 11, 2002, Brooke Furio met with James Manuel the Director of the Ohio Department of Development's (ODOD's) Office of Urban Development, several other representatives of the Office of Urban Development, several representatives of the Ohio Environmental Protection Agency (Ohio EPA), and Kevin Matthews of AIG Environmental. ODOD requested the meeting to discuss the possibilities of combining ODOD's U.S. EPA Brownfields Cleanup Revolving Loan Fund (BCRLF) Pilot with an environmental insurance product. The ODOD would like to use the U.S. EPA BCRLF project to help them gain experience with environmental insurance products. ODOD was awarded a \$1.864 million U.S. EPA BCRLF Pilot this past April. Brooke Furio and Kevin Matthews gave separate presentations. The ODOD is currently developing rules and guidelines for the *Clean Ohio Revitalization Fund* that was passed in November of 2000. ODOD is looking for creative ways to combine an environmental insurance product with the *Clean Ohio Revitalization Fund*.

Contact: Brooke Furio (312-353-2513)

**Meeting (Brownfields Cleanup Revolving Loan Fund (BCRLF) Pilot),
City of Mansfield, Ohio**

On January 10, 2002, Brooke Furio and Ross Powers met with Mayor Lydia Reid, several representatives of the City of Mansfield, Ohio, and the City's environmental consultant. The meeting was held to discuss the City's 1 million dollar Brownfields Cleanup Revolving Loan Fund (BCRLF) Pilot. Brooke Furio gave a presentation on the BCRLF Program. The City of Mansfield received the BCRLF Pilot this past April, and is currently working on building the internal infrastructure needed to manage the program. The City is interested in using the BCRLF funds on a property currently controlled by the City.

Contact: Ross Powers (734-692-7681)

Meeting (U.S. EPA Grant), Purdue University

On January 15, 2002, staff from the Superfund Division and the Office of Public Affairs meet with Professor Kathy Bank of Purdue University. Professor Banks is the director of the Midwest Hazardous Substance Research Center. Purdue received this U.S. EPA grant last November replacing Michigan State University. About 30% of the grant is used for technical assistance to communities where Superfund and Brownfields sites are located. This Center will also provide technical assistance to Tribes for the entire country. The purpose of the meeting was to establish a working relationship between Purdue and Region 5 to make sure Purdue understands the Region's expectations so that they are able to deliver the type of technical assistance that best meets our needs. Overall, we had a useful exchange of information, and we agreed to stay in close communication.

Contact: Bill Munro (312-886-7578)

TRAINING/CONFERENCES

Strategy Meeting, Lake County, Illinois

On January 11, 2002, Deborah Orr met with Lake County officials including, Philip Rovang, Director, Planning, Building and Development in Waukegan, Illinois, for the Brownfields Redevelopment. The attendees discussed strategies for addressing brownfields redevelopment in Lake County and the merits of incorporating brownfields redevelopment into existing planning projects underway for transportation improvements. The County has recently allocated over \$ 1 million dollars in general funds

over the next five years to address brownfields and was interested in leveraging these dollars with Federal and State funds. The County has scheduled a follow-up meeting with the State of Illinois brownfields program staff.

Contact: Deborah Orr (312-886-7576)

FEMA/U.S. EPA OCEPP Staff Meeting, Chicago, Illinois

On January 17, 2002, the Federal Emergency Management Agency (FEMA) and the Office of Chemical Emergency Preparedness and Prevention (OCEPP) meeting took place at the FEMA 5 offices in Chicago, Illinois. Ed Buikema, the newly appointed FEMA 5 Regional Director, chaired the meeting along with Mark Horwitz, Chief of OCEPP. Also, participating in the meeting were six FEMA and seven OCEPP staff members. The purpose was to better acquaint the participants with the programs, policies, and initiatives of each agency, establish points of contact, and look for ways to work together to achieve the goals of both organizations. Some of the topics covered included Supplemental Environmental Projects, grant programs, FEMA and U.S. EPA chemical exercise programs, and activities involving State Emergency Response Commissions and Tribal governments. A discussion addressing U.S. Fire Association grants (in Fiscal Year 2003) to fire departments for the purchase of hazardous material response equipment was especially interesting in that the program could significantly enhance both Hazardous Materials (HAZMAT) and Weapons of Mass Destruction response capabilities at the local level in the near future.

Contacts: Glenn Cekus (312-353-6449)
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Robert Mayhugh (312-886-5929)
Cheryl McIntyre (312-886-1964)
Ruth McNamara (312-353-3193)
Silvia Palomo (312-353-2172)
Ivonne Vicente (312-886-4449)

STAKEHOLDER FEEDBACK

Letter of Thanks and Appreciation (Mark Vendl), Homicide Case, Geneva Police Department, Geneva, Illinois

In a letter dated January 15, 2002, to Thomas Mateer, Chief,

Program Management Branch, William Kidwell, Chief of Police, Geneva Police Department, expressed appreciation as follows:

"Please accept the Geneva Police Department's sincere thanks and appreciation for the analysis that Mr. Mark A. Vendl conducted for us on October 17, 2001, pursuant to an open homicide case from 1975 that this department and the Illinois State Police are investigating. The analysis, as conducted by Mr. Mark A. Vendl of your agency, is integral to the investigation.

We truly enjoyed having the opportunity to work with Mr. Vendl. He is a consummate professional and a credit to the U.S. Environmental Protection Agency.

Please feel free to call upon the Geneva Police Department at anytime if we ever can be of service to you or your agency."

Contact: Mark Vendl (312-886-0405)

cc: Marianne Horinko (OSWER)
Barry Breen (OECA)
Steve Luftig (OSWER)
Larry Reed (OERR)
Larry Zaragoza (OSWER)
Craig Beasley (OSWER)
Michael Shapiro (OSWER)
Sylvia Lowrance (OECA)
Region 5 State Superfund Coordinators
Division/Office Directors
ORA State Coordinators
Regional Team Managers